

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-5, 13-28, 30-34, 40-44, 50-66, 79-92, 99-106, 115-128, 143-150, 159-172, 187-193, 195, 197, 199, 201-226, 253-278, 305, 307, 309-312, 315-316, 319-322, 324, 326, 328, 330, 332-333, 336-337, and 339-362 will be pending. Claims 6-12, 29, 35-39, 45-49, 67-78, 93-98, 107-114, 129-142, 151-158, 173-186, 194, 196, 198, 200, 227-252, 279-304, 306, 308, 313, 314, 317, 318, 323, 325, 327, 329, 331, 334, 335 and 338 have been withdrawn without prejudice or disclaimer. Claims 339 - 362 are being added to further define the invention.

The Office Action dated October 21, 2004 (the "Office Action") in the above-referenced patent application required the election for prosecution of either

"1) Group I. Fig. 2 as set forth by method Claims 1-5, 13-28, 30-34, 40, 51-66, 79-92, 99-106, etc." or

"2) Group II. Fig. 1 as set forth by system Claims 6-12, 29, 35-39, 67-78, 93-98, etc."

In response to the restriction requirement imposed in the Office Action, Applicants provisionally elect, with traverse, Group I comprising all of the pending method claims, *i.e.*, Claims 1-5, 13-28, 30-34, 40-44, 50-66, 79-92, 99-106, 115-128, 143-150, 159-172, 187-193, 195, 197, 199, 201-226, 253-278, 305, 307, 309-312, 315-316, 319-322, 324, 326, 328, 330, 332-333, and 336-337, as well as newly added method Claims 339-362.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in one application (35 U.S.C. §121). The Office Action states that Figure 1 illustrates the invention of the Group II claims (system claims), while Figure 2 illustrates that of the Group I claims (method claims). Applicant respectfully disagrees and believes the restriction requirement to be improper as Figures 1 and 2 do not define independent and distinct inventions. Indeed, the processing illustrated in Figures 1-3 are linked. The claim groups are not "independent" as they are all directed to the same purpose, that is to managing client accounts. Nor are the claim groups "distinct" as they are related as process and apparatus for its practice; the process can only be practiced by the apparatus and the apparatus has no use other than for practicing the process.

The provisional election of Group I is made herein in order to more rapidly advance prosecution of the method claims to issuance. The non-elected claims are subject to reinstatement under 37 C.F.R. § 1.142(b) if the restriction requirement is withdrawn. Applicants, of course, reserve the right to prosecute the non-elected claims in a separate related application and have expressed an intent to do so.

In addition, Applicants have amended the application to add new claims 339-362 directed to a method for managing a plurality of individual client accounts for multiple clients. It is respectfully submitted that these new claims are consistent with Applicants' provisional election of Group I herein and do not add any new matter to the subject application.

In conclusion, Applicants respectfully submit that all requirement of the restriction requirement have been fully satisfied and request entry of the newly presented claims.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date DECEMBER 21, 2024

By 

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